



## **Staff Report:**

Issue: Variance Requests – McMeredit Development (Heritage Court LLC)

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### **BACKGROUND:**

This request has been submitted by McMeredit Development for variance from Waite Park City Code Article V, Zoning, Land Use and Building Regulations, Ordinance 52, Zoning Code, Section 52.21 RM-24 Moderate/High Density Multiple Family Residential District Subd. 5E to increase maximum allowable building height from 3 stories or 40 feet to 55 feet, and from Waite Park City Code Article V, Zoning, Land Use and Building Regulations, Ordinance 52, Zoning Code, Section 52.42 Parking and Loading Requirements, Subd. 6C to reduce parking requirement.

The request is being made to accommodate specific design and configuration of proposed senior-oriented multifamily (apartment) development on current vacant portion of property owned by the applicant and to north of existing Heritage Point senior apartment facility.

The requests under review and consideration only regard the height and parking aspects of the development. The suitability of the project in general or the concept of an additional apartment building upon the property are not under consideration – the property is currently zoned appropriately for such development and was also previously platted. If the project was being brought forward without variance requests it would not necessitate public hearing nor special review/approval by Planning Commission and City Council. As such, review by staff and consideration by Planning Commission and City Council is limited to only the specifics of the variance requests.

The applicants have met previously with City staff in site review and consideration in bringing the requests forward. The site has natural features which limit the ability of the property to accommodate the development in the most appropriate fashion. The applicants have demonstrated that due to soil conditions (granite outcroppings and higher ground water levels) and wetland areas, the development is limited to a more confined footprint. In order to accommodate the parking, even with a reduction being requested via parking requirement variance, parking would on ground floor for indoor portion, which would necessitate additional story of development and thus exceed the standard 3story or 40 foot (whichever is less) height standard for the applicable RM-24 multifamily district.



The owner/applicants have received approval for wetland impact aspects from Stearns County and will be purchasing wetland bank -credits to offset approved impacts.

The attached site plan was prepared for the applicant and is submitted for consideration as it depicts the proposed building envelope and parking layout. If approved the requested variances will allow for the more “condensed” building envelope as depicted, although the final building layout and configuration may change slightly.

The requested variance for height would allow a maximum overall height of 55 feet for the structure, vs. the 3-story/40 foot district standard. The applicants have advised that they would intend to construct the building to the minimum height possible beyond the standard and to utilize as low-profile roof as is feasible for typical pitched roof.

For the parking reduction, the applicants are requesting a parking allotment based on 1.75 stalls per unit. The standard parking requirement for multi-unit housing in the applicable RM-24 district is 2.5 stalls per dwelling unit. With the proposed 66 units, the standard requirement would be 165 parking stalls and the requested total parking demand would be for 115 stalls.

As senior-oriented housing, the applicants have advised that there is a mix of one and two-bedroom units and that many of the residents either typically have one vehicle per unit or do not drive, thus having a much lesser than usual parking demand than similar units marketed toward working-age adults or families. Staff review of the other typical parking demand and abundance of open parking stalls for their two existing similar facilities in the community confirms this aspect.

A parking allowance of 1.75 stalls per unit would both be satisfactory for the intended use of the project as senior-oriented apartments, as well as be sufficient for any long-term change in use of the property to standard multi-family housing should that ever occur.

The parking layout has been designed to utilize the buildable area while minimizing impacts to existing adjacent residences and also to work around the existing pond that will be utilized to meet stormwater management requirements

It is possible that minor reconfiguration of the site and parking layout may occur before construction ultimately occurs, but overall height and parking limitations would apply if variance requests are approved.

Staff believes that the applicant has demonstrated practical difficulties for this application in that the difficulties and hardship is not self-caused and is rather a feature of the natural environment of the property, and that they have done everything possible in their design to minimize impacts on



neighboring properties and need for variances while still retaining a buildable area for the development. Staff is supportive of the variance requests.

The Planning Commission reviewed the request and held public comment at their April 15<sup>th</sup>, 2025 meeting. The video of the meeting is available at the following web link:

<https://www.ci.waitepark.mn.us/509/Meeting-Videos>

Numerous comments in opposition to the project were received, with a primary concern being the proposed use of the existing private drive as primary entrance for the proposed development. The private drive is intended to remain private and will not be turned over to the City, and the City will not be responsible for improvement, maintenance, or plowing.

The private drive abuts rear yards of residents of Ashwood Court and several residents indicated concern with the increase of traffic in the area, as well as potential impacts from construction activities. Other comments were received regarding impacts on property values and taxes as well as drainage in the area; at this time civil engineering plans have not been prepared nor reviewed but they will be subject to all standard requirements and review and the City Engineer is aware of concerns raised.

In response to concerns regarding traffic, although the property is zoned appropriate for additional multi-family development and an increase in traffic on an existing minimal-use private drive is expected, City staff coordinated to have traffic counts performed on the existing Willow Park facility to the south over a two-day period. Results were consistent with expected traffic from an apartment building of its size, noting that there was no major increase nor decrease in traffic due to the use of the facility as a senior living facility.

After discussion and consideration, the Planning Commission recommended approval of the variance for reduction of parking demand from 2.5 to 1.75 stalls per unit, and recommended a modified approval of the variance for maximum height, with a recommended maximum height of 50 feet instead of the requested 55 feet.

Given careful consideration of the request and the intent and aspects of the applicable ordinances as-written, and evaluation of the request against the requirements for variances as enclosed, staff recommends approval of the variances, with conditions as recommended by Planning Commission. In staff's opinion, the requests meet the requirements and threshold for establishment of practical difficulties.



**REQUIRED ACTION:**

The City Council’s action could be any of the following regarding the requests:

1. Approval of the one or more variances as submitted, or to a lesser degree (approval of setback more than the ordinance standard, but less than requested).
2. Denial of one or more variances, with findings of fact.
3. The City Council may, at its discretion, table the matter for further review and consideration. An extension of the 60-day review period as mandated by State statute may be required.

**RECOMMENDED ACTION**

- Staff recommends adoption of attached resolution approving variances with modification as recommended by Planning Commission.

**MOTIONS**

Council member \_\_\_\_\_ moved to *approve* or *deny* adoption of resolution approving variances Waite Park City Code Article V, Zoning, Land Use and Building Regulations, Ordinance 52, Zoning Code, Section 52.21 RM-24 Moderate/High Density Multiple Family Residential District Subd. 5E to increase maximum allowable building height from 3 stories or 40 feet to 50 feet, and from Waite Park City Code Article V, Zoning, Land Use and Building Regulations, Ordinance 52, Zoning Code, Section 52.42 Parking and Loading Requirements, Subd. 6C to reduce parking requirement from 2.5 stalls per unit to 1.75 stalls per unit, with the following \_\_\_\_\_ modifications \_\_\_\_\_ (if \_\_\_\_\_ any):

\_\_\_\_\_

Council member \_\_\_\_\_ seconded the motion.

**ROLL CALL**

Councilmember Vic Schulz \_\_\_\_\_  
 Councilmember Shawn Blackburn \_\_\_\_\_  
 Councilmember Frank Theisen \_\_\_\_\_  
 Councilmember Sarah Starling \_\_\_\_\_  
 Mayor Kenneth Schmitt \_\_\_\_\_



Motion (Approved) (Denied)